

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Abingdon Division**

ELMER T. PRESTON,)
)
Plaintiff,)
)
v.) Civil Action No. 1:23-CV-00053-JPJ-PMS
)
)
VIRGINIA COMMUNITY)
COLLEGE SYSTEM,)
)
Defendant.)
)

**DEFENDANT'S OBJECTION AND OPPOSITION TO PLAINTIFF'S MOTION FOR
EXTENSION OF TIME TO OBTAIN COUNSEL**

Virginia Community College System (“VCCS”), by counsel, objects to and opposes Plaintiff’s second Motion for Extension of Time to Obtain Counsel [ECF No. 51]. In support of thereof, Defendant states the following:

1. By Order dated February 24, 2025 [ECF No. 48], the Court granted the Motion to Withdraw as Attorney filed by Plaintiff’s counsel and allowed Plaintiff 30 days to retain substitute counsel. The Court also stayed the deadline for Plaintiff to provide discovery responses to Defendant.
2. On March 21, 2025, Plaintiff filed his first Motion for Extension of Time to Obtain Counsel.
3. By Order dated March 24, 2025, the Court extended Plaintiff’s deadline to retain counsel to April 23, 2025.
4. Plaintiff has now filed his second Motion for Extension of Time to Obtain Counsel, in which he requests another 30-day extension. Defendant objects.

5. Plaintiff has already been allowed 60 days to retain substitute counsel, which is more than generous. This case involves matters that occurred in 2020 and 2021, and it is prejudicial to the defense to continue these delays.

6. Additionally, deadlines are looming in the Scheduling Order [ECF No. 39]—deadlines that Defendant will likely be unable to meet because Plaintiff's deadline for discovery responses has been stayed for 60 days.

WHEREFORE, for the reasons stated above, Defendant respectfully requests that this Court deny Plaintiff's second Motion for Extension of Time to Obtain New Counsel, and award such further relief as the Court deems just and proper.

Dated: April 21, 2025

**VIRGINIA COMMUNITY
COLLEGE SYSTEM
By Counsel**

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CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of April, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing to all counsel of record.

/s/ Faith A. Alejandro

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